

REMARKS

Applicants request favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 2, 5, 8, 10, 11, and 19 are pending in this application, with Claims 1, 10, and 19 being independent.

Claims 1, 10, and 19 have been amended. Applicants submit that support for the amendments can be found in the original disclosure at least, for example, in paragraph [0062]. Therefore, no new matter has been added.

Claims 1, 2, 5, 8, 10, 11 and 19 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,859,921 to Suzuki in view of U.S. Patent No. 5,008,946 to Ando. Applicants respectfully traverse this rejection for the reasons discussed below.

As recited in independent Claim 1, the present invention includes, *inter alia*, the features of determining a region based on a candidate eye area, said region being a region encompassing the candidate eye area and the center of the region being the center of the candidate eye area, and comparing a ratio N/S to a predetermined first threshold, wherein, if the ratio N/S is smaller than said first threshold, the candidate eye area is judged to be a real eye area; else, the candidate eye area is judged to be a false eye area. Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features of Claim 1.

The Examiner asserts that Ando discloses an eye detection method that is simpler than that of Suzuki and can be used in place of that in Suzuki. However, Applicants submit that Ando merely discloses setting a threshold value for detecting black edges across a whole face. In particular, Ando counts pixels in an area encompassing the face (Col. 18, lines 3-14). On the other hand, Claim 1 recites determining a region encompassing a candidate eye area, with the

center of the region being the center of the candidate eye area. So, Applicant submits that Ando merely sets a threshold for detecting black pixels in a whole face, and then detects the black pixels to detect a pupil. In contrast, Claim 1 recites counts dark areas in a region centered on a candidate eye area and judges a candidate eye area to be a real eye or a false eye, i.e., it doesn't just detect a pupil.

Accordingly, Applicants submit that even if the teachings of Ando were combined with those of Suzuki, the combination would not result in the claim features discussed above.

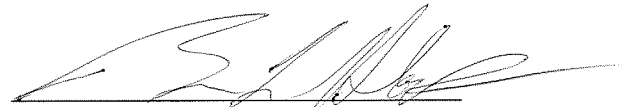
For the foregoing reasons, Applicants submit that the present invention recited in Claim 1 is patentable over the art of record. The other independent claims recite features similar to those of Claim 1 discussed above, and are believed to be patentable for reasons similar to those discussed regarding Claim 1.

The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

For the foregoing reasons, this application is believed to be in condition for allowance. Favorable reconsideration, withdrawal of the outstanding objections and rejections, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', is written over a horizontal line.

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